

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-10 are pending in this paper. Claims 1 and 8-10 are amended. Support for this amendment is provided throughout the Specification.

No new matter has been introduced. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §101 AND 35 U.S.C. §102(b)**

Claim 9 was rejected under 35 U.S.C. §101, as allegedly being directed to non-statutory subject matter.

Claims 1-10 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,118,754 to Sako et al. (hereinafter, merely "Sako").

### **III. RESPONSE TO REJECTIONS**

#### **A. Response to 35 U.S.C. §101 Rejections**

Claim 9 is amended, thereby obviating the rejections.

B. Response to 35 U.S.C. §102 Rejections

Claim 1 recites, *inter alia*:

“A file generation apparatus for generating a file of first data to be recorded on a recording medium, the file generation apparatus comprising:

...third generation means for generating fourth data as stuffing data which allows the data amount of each of the first, second, and third data to be an integral multiple of a unit of reading or writing to the recording medium by adding the fourth data to the first data, the second data, and the third data.” (emphasis added)

Sako relates to a data recording apparatus constructed by an input unit, a block segmenting unit, a recording processing unit, and a recording unit. The input unit receives first and second digital data in which a ratio of sector sizes is not equal to an integer ratio. The block segmenting unit inserts first data and second data when it is assumed that a sector size of first data is set to A and a sector size of second data is set to B and forms data of a block structure.

The above-identified feature of this invention is directed to adding filler data, which are stuffing data, to the header, the body, and the footer of an AV file so that each of the header, the body, and the footer has a size to an integral multiple of the ECC block. Sako relates to combining two data segments with different sector sizes into a block with a predetermined size and does not change size of the header and the footer to an integral multiple of the ECC block.

Applicants respectfully submit that Sako fails to teach or disclose third generation means for generating fourth data as stuffing data which allows the data amount of each of the first, second, and third data to be an integral multiple of a unit of reading or writing to the recording medium by adding the fourth data to the first data, the second data, and the third data, as recited in claim 1 (emphasis added).

Therefore, claim 1 is patentable.

For similar, or somewhat similar, in scope to claim 1, Claims 8-10 are therefore patentable for similar, or somewhat similar, reasons.

## **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

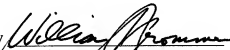
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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